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ATTORNEY GENERAL OF NEW JERSEY

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Division of Consumer Affairs  
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**FILED**

JAN 12 2004

Division of Consumer Affairs

BY:

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Deputy Attorney General  
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STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
DOCKET NO. :

In the Matter of An Inquiry Between  
Reni Erdos, Director,  
New Jersey Division of Consumer Affairs

and

Chas S. Winner, Inc. d/b/a  
Winner Ford of Cherry Hill

RESPONDENTS

Administrative Action

**CONSENT ORDER**

This matter having been opened by the Division of Consumer Affairs, Office of Consumer Protection (hereinafter referred to as "Division"), as an investigation in order to ascertain whether violations of the Consumer Fraud Act, N.J.S.A. 56:8-1 et seq., and the New Jersey Regulations Governing Deceptive Practices Concerning Automotive Advertising, N.J.A.C. 13:45 A-26A.1 et seq. ("Auto Advertising Regulations") and/or Administrative Regulations Governing the Practices of Motor Vehicle Repairs in the State of New Jersey N.J.A.C. 13:45 A-26C.1 et seq. ("Auto Repair Regulations") have been or are being committed by Charles S. Winner, Inc., d/b/a Winner Ford of Cherry Hill (hereinafter referred to as "Respondent"), and it appearing that the parties have reached

an amicable agreement thereby resolving the issues in controversy and concluding this matter without the need for further action, and Respondent having voluntarily cooperated and consented to the entry of the within order with the understanding that the Respondent denies it has been or is in violation of the Consumer Fraud Act and/or the Auto Advertising and Auto Repair Regulations, and for good cause shown,

IT IS on this 12 day of

January, 2005

ORDERED and AGREED as follows:

**A. BUSINESS PRACTICE**

1. Respondent, its officers, directors, agents employees, successors, and assigns shall fully comply with the Consumer Fraud Act and the Auto Advertising and Auto Repair Regulations, including but not limited to the following:

- a) Respondent shall fully and accurately disclose vehicle history or damage for used automobiles being offered for sale or lease.
- b) Respondent shall fully honor negotiated deals with consumers looking to purchase or lease a vehicle.
- c) Respondent shall assure that both parties shall sign sales transactions documents during the purchase or leasing of a vehicle, and that the consumer is given a copy of the fully executed documents at the time of signing.

**B. PAYMENT TO THE STATE**

2. Respondent shall pay investigative costs to the Division in the amount of **Five Thousand Three Hundred and Eighty-Nine Dollars and Thirty-Nine Cents (\$5,389.38)** pursuant to **N.J.S.A. 56:8-13.**

3. All payments excluding consumer reimbursement are to be paid by company check payable to the New Jersey Division of Consumer Affairs and shall be mailed upon the execution of this Consent Order to the following address: Division of Consumer Affairs; Office of Consumer Protection, P.O. Box 45025, Newark, New Jersey 07101, Attention: Case Management Tracking.

#### **C. REIMBURSEMENT**

4. Respondent shall make a goodwill reimbursement payment to the consumers listed in **Schedule A** attached hereto and made a part hereof within **10 days** of the signing of this Consent Order. Reimbursement payments are to be paid individually to the consumers identified in Schedule A by company check. A copy of the payment shall simultaneously be sent to: Division of Consumer Affairs; Office of Consumer Protection, P.O. Box 45025, Newark, New Jersey 07101, Attention: Cullen A. Church.

5. Failure by Respondent to make any of the payments provided in this Consent Order shall render this Consent Order null and void and the Division may take whatever additional action it deems necessary under the circumstances.

6. The parties represent that an authorized representative of each has signed this Consent Order with full knowledge, understanding, and acceptance of its terms and that this person has done so with the authority to legally bind the respective parties.

7. After signing this Consent Order, if Respondent engages in any further acts or practices which constitute a violation of this Consent Order or the act, they may be subject to the imposition of enhanced penalties pursuant to the provisions of N.J.S.A. 56:8-13.

8. Nothing contained herein shall bind or affect the rights of any person not a party hereto.
9. Nothing contained herein shall bind or affect any position which any party may take in any future or unrelated action.
10. This Consent Order is a final agency order and shall be effective upon filing.

**PETER C. HARVEY**  
**ATTORNEY GENERAL OF NEW JERSEY**

BY:   
Reni Erdos, Director, New Jersey  
Division of Consumer Affairs

I have read the above consent order, understand it and agree to be bound by its terms. I hereby consent to the form and entry of this Order.

Charles S. Winner, Inc.  
d/b/a Winner Ford of Cherry Hill

By:   
Donald Slipp, General Manager

Consent as to the form of this order.

George R. Piperno, Esquire  
ATTORNEY FOR RESPONDENT

By:   
George R. Piperno, Esq.